

REMARKS

Claims 1-32 are presently pending and submitted herein for consideration by the Examiner. Applicant herein amends claims 1, 21, 28, 29, 31 and 32. No issue of new matter is raised by these amendments. Accordingly, Applicant respectfully requests entry of this Amendment. Claims 1, 21, 28, 29, 31 and 32 are the independent claims. Favorable reconsideration is requested.

In the Office Action, the Examiner rejected claims 1, 5,6, 8-11, 13-15, 19, 21-24 and 28-32 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 716,633 to Hains et al ("*Hains*"). As well, the Examiner objected to claims 2-4, 7, 12, 16-18, 20 and 25-27 as being dependent upon a rejected base claim, but stated they would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant would like to thank the Examiner for this latter indication. However, in light of the amendments made herein to the independent claims, Applicant submits that all pending claims are now in condition for allowance.

Applicant has amended claims 1, 21, 28, 29, 31 and 32 to further clarify and more precisely define the present invention. Source in the specification for the claim amendments is provided, inter alia, at page 15, lines 4-7 and at page 16, lines 17-29. No issue of new matter is raised by the amendments, which are fully supported by the entire disclosure and the original claims. Applicant respectfully submits that given these amendments, none of the cited grounds for rejection apply to the pending claims, as amended.

Currently amended independent claim 1 recites a shock and vibration-absorbing system comprising a first plate assembly attachable to a first structure, a second plate assembly attachable to a second structure, and a plurality of cavernous members of an elastic material. It

is provided that the first plate assembly and the second plate assembly together form at least one cavity having an initial volume in which the plurality of cavernous members are arranged, and after attachment of the first plate assembly to the first structure and the second plate assembly to the second structure, shock and vibration passing between the first structure and the second structure cause the first plate assembly and the second plate assembly to move relative to each other to reduce the initial volume of the at least one cavity so as to compress the plurality of cavernous members. It is further provided that compressing the plurality of cavernous members exerts pressure against the first plate assembly and the second plate assembly so as to absorb the shock and vibration. The system operates to absorb shocks and vibrations which cause the first plate assembly and the second plate assembly to move either closer together or farther apart from each other.

A notable feature of the system recited in claim 1 is the ability of the system to absorb shocks and vibrations which cause the first plate assembly and the second plate assembly to move either closer together or farther apart from each other. This feature allows the absorption of shock and vibration in the form of “pushes” as well as “pulls” on the edges or surfaces of the relevant structures, and is quite useful, inasmuch as shocks in environments requiring shock absorption, such as on board ship, are not generally restricted to solely “pushes” or “pulls.”

Hains is directed to a turnbuckle for securing wire rigging to the side of a ship. Unlike hemp rigging, which has some elasticity, wire rigging is rigid. Thus, a sudden shock or dead pull on wire rigging fasteners could cause the fastener to ultimately fail, creating a potentially dangerous condition, and leaving the rigging to freely sway. *Hains* is unconcerned with sudden shocks or dead pushes. This is clear from a careful analysis of Fig. 1 of *Hains*.

As can be seen in Fig. 1, the *Hains* turnbuckle is arranged such that if a sudden pull is applied to the upper screw-threaded eyebolt a (which the Examiner has labeled as “First Structure”) the lower pressure plate B will be pulled upward via the two rods a2 connected to the upper end portion A’. This sudden pull upward applied to the turnbuckle will be opposed by the various elastic members C as shown in Figure 1. This is because the upper screw-threaded eyebolt a, and the lower end portion A to which it is connected, remain stationary while the upper screw-threaded eyebolt and the associated structures connected thereto, including lower pressure plate B, move upward. This upward motion is attenuated by the elastic springs (or elastic members C) which oppose such upward motion. One need only look cursorily at the figure to note that a downward pressure on the upper screw-threaded eyebolt a (i.e., a “push” on the “first structure”) would not be attenuated or opposed whatsoever. Therefore, the lower bottom plate B attached to the rods a2 would be pushed downward in an unattenuated manner, ultimately smashing into the upper portion of the lower screw-threaded eyebolt a.

Thus *Hains* neither teaches nor suggests a shock and vibration absorbing system such as is recited in claim 1, as amended, which is arranged so as to absorb shocks and vibrations which cause the first plate assembly and the second plate assembly to move either closer together or farther apart from each other. Therefore, Applicant submits that claim 1, as amended, is patentably distinguishable over *Hains*.

Similarly, each of independent claims 21, 28, 29, 31 and 32 are also believed to be patentably distinguishable over *Hains*. Claim 21 is a related method claim, claims 28 and 29 are variant related system claims, and claims 31 and 32 are related method of attenuation claims, respectively, to claim 1. Therefore, for the same reasons as discussed above in connection with

currently amended claim 1, independent claims 21, 28, 29, 31, and 32 are submitted as being patentable as well.

The remaining claims in the application are dependent from either claims 1, 21, 28, or 29, and thus are patentable over the references of record, since they further define and limit the invention of independent claims 1, 21, 28, and 29.

In light of the above amendments and arguments, Applicant respectfully requests reconsideration and withdrawal of each of the Examiner's rejections and objections contained in the Office Action. Applicant believes he has demonstrated the novelty of the claimed invention over *Hains*, and that the claims thus now recite attenuation of vibrations/shocks which exert forces either "outward from or inward to" or "upward or downward" relative to the claimed apparatus. If the Examiner believes that the claims have not done so, and still has a semantic quibble, Applicant respectfully requests a telephonic interview, rather than yet another final office action, in the interests of expediting prosecution.

No additional fees are believed due herewith. If any fees are due, the Commissioner is hereby authorized to charge any fees as deemed necessary for the entry of this Amendment to Deposit Account No. 50-0540.

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Respectfully submitted,

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